SINGLE BENCH

C.S. No.

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

WRIT PETITION NO. OF 2005

PETITIONERS

1. Rameshwar Prasad Patel, S/o Parmanand Patel, aged about 57 years,

2. Lalan Prasad Patel, S/o Gajranjan Singh, aged about 44 years,

Both residents of Village – Saposh Tehsil- Dabhra, Distt- Janjgir-Champa (CG)

P.R. No. 4487/05
Presented by Shri R. Tripathi
dated 21/9/05

Versus

RESPONDENTS

1. State of Chhattisgarh, through Secretary, Department of Water Resources, D.K.S. Building, Mantralay, Raipur Distt- Raipur (CG).

2. Collector,
Janjgir-Champa,
District – Janjgir-Champa (CG)

3. The Executive Engineer,
Water Resources Division,
Champa, Distt- Janjgir-Champa,
(CG)

4. Sub Divisional Officer (Revenue)
(Land Acquisition Officer)
Dabhra, District – Janjgir-Champa, (CG)

31/10/05

RECEIVED-COPY
22/9/05
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA

XI-HC-78

(37)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... W.P. 4357 ..... **सन् 200** 5

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	14-9-2005 Mr. H.S. Patel, counsel for the petitioners. Mr. Parag Kotecha, Panel Lawyer for the State/respondents Heard both the counsel. The main grievance of the petitioners is that in spite of the award dated 31-12-2004 passed by the Land Acquisition Officer, Dabhra, respondent No.3 is not depositing the compensation money in terms of the Land Acquisition Officer's memorandum dated 25-7-2005 (Annexure P-4). The Land Acquisition Officer passed the award as back as in the year 2004 and the same was passed after the direction of this Court on 24-2-2004. Learned counsel for the petitioners submits that the land in question was taken for construction of water tank in the year 1973. It is unfortunate that respondent No.3 utilized the petitioners' land in the year 1973, and in the first instance, the compensation award was not passed, the petitioner was forced to approach this Court by way of filing writ petition and the order dated 24-2-2004 was passed by this Court after about 11 years, and the award was passed in December, 2004, still the compensation money is not being paid.	

XI-HC-78

(38)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... W.P.4357/ ..... **सन् 2005**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	In the circumstances, respondent No.3 is directed to deposit the compensation money as per the Land Acquisition Officer's award within a period of one month from today. Learned counsel for the petitioners further submits that the petitioner has moved an application under Section 18 of the Land Acquisition Act, for making reference and that is not being decided. Therefore, respondents No.2 & 4 are directed to decide the said application, within a period of one month from today, in accordance with law. With the directions aforesaid, the writ petition stands disposed of. In view of this order, M.(W.)P.No.3543/2005 & I.A.No.7890/2005 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	

Soma

16.9.05